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WHEN A GUEST TAKES RISKS.

The supreme court of Wisconsin has given a ruling that is of interest to automobile owners and drivers and to people who ride with them as their guests. The court held that if a person rides in an automobile at the invitation of another he takes the risk for whatever accidents may happen during the ride.

The opinion reverses the decision of the court below, which gave a verdict for damages in a case where a person riding on invitation from the driver was injured in an accident and brought suit to recover. In this instance the driver was absolved from blame, but it can be understood that cases might arise in which the general rule laid down might not apply.

It certainly should not be maintained that a person injured through the recklessness or criminal carelessness of another having charge of the automobile in which they are riding could not recover when the same lack of prudence or caution under other circumstances would give him a good case. Even the man who gets a free ride at the courtesy of a friend should have some protection against the negligence of that friend, and we presume the law would hold him liable.

The Wisconsin court was probably quoted too broadly in the newspaper reports. If Smith accepts an invitation from Jones to ride in his automobile believing in good faith that he does so without assuming extraordinary risk and Jones drives so recklessly that an accident results and Smith is injured he ought to be able to recover damages.

Most human action is taken on faith. A man ventures to walk to his office having faith that he will not be obstructed or injured, he starts across the street relying upon his own watchfulness and the caution of others to save him from being run down, he takes passage in an elevator or boards a train or street car with the same faith. In each of these instances he is given recourse in case he is injured through the wilful acts or negligence of others. By the same token the man who in perfect faith accepts a seat in his friend's automobile should be protected from the negligence of the latter.

One person cannot assume the care of another without assuming more or less responsibility. The invitation to ride is in a degree an assurance or guarantee of the ability of the one who extends it to supply the protection which the guest expects when he places himself in charge of another. This may not be good law, but it sounds like common sense.

DISCOURAGING EUGENICS

Dr. Woods Hutchinson is responsible for statements that are not encouraging to those engaged in an effort to improve the race. The statements were made in an address before the national council of morals in London and the conclusion reached by the speaker was that the most important thing is to see that the children are surrounded with a wholesome atmosphere and have plenty of food.

This sounded like getting back to the more primitive methods of rearing children in vogue before the scientific means now so popular were introduced. And it must be confessed that, speaking for the United States, the old way served to produce a vigorous and progressive race. The old way of turning children into the open barefoot and bareheaded may have subjected them to the test of the survival of the fittest, but it will not be denied that the survivors were fair types of manhood and womanhood.

One of the difficulties encountered by eugenics, according to Dr. Hutchinson, is the inability to improve the species beyond two or three generations. The records show that except in rare instances the brilliancy of parents is not transmitted to children and that genius has always died out in two or three generations, and the difficulty of deciding what type is desirable and because types are so rapidly changing are causing an abandonment of the eugenic scheme of physical selection and efficient mating.

This is, however, no argument against taking such reasonable precautions as inquiring into the physical and mental fitness of men and women to marry. While the race may not be lifted much above its present standards reasonable prudence may prevent it from dropping to a lower scale.

CONGRESSMEN PLAYING HOOKEY.

The ability of Pres. Wilson to keep members of congress close to their work, which has won him the admiration and gratitude of the country, received a severe setback when the world's series opened in New York. Like the proverbial rats the members deserted the ship of state in droves.

The old fogey must be filled with disgust that the men charged with the responsibility of public affairs should so far forget their dignity and duty as to rush off like a pack of boys to a ball game and let the United

States drift as it may, but the average citizen will smile indulgently at the escapade and wish that he might be in the grandstand or even on the bleachers with the delinquent congressmen.

Congress has done a lot of hard work since March and found Pres. Wilson a hard taskmaster. He had a big program all cut out for the national legislature and stood behind it with a grim determination that it should be put through. The men have worked days, nights and Sundays and the results in legislation are perhaps unparalleled. A day or two off and the ball games will do them good. It will relax and rest them, and the business of the country will not suffer. On the contrary the respite will give them new efficiency.

Under any circumstances it would have been hard to resist the temptation spread so near them. A night ride to New York or Philadelphia and a night ride back to Washington enables them to see a game with a loss of only one day. Surely they are entitled to that. The most grasping employer would hardly deny it.

THE RECALL OF JUDGES.

The recall of judges came in for a thorough going discussion at the hands of members of The Round Table Wednesday night with most of the lawyers able to make out a splendid case that the doctrine was a dangerous innovation and would not at all fit in with the sort of government handed down under the constitution. And yet there are certain obvious defects and shortcomings in our judicial system that will some day have to be corrected.

It may not come through the recall of judges. But it seems apparent that correction of these obvious abuses will have to be made or the sentiment for the recall will loom up more and more as a possibility. The people who believe in the judicial recall are, generally speaking, not lawyers, not statesmen, not constructive political thinkers. The movement for the recall is a sort of revolt among men who can only see that something is wrong and who grasp at the recall as the most obvious way to straighten things.

A bad judge makes more sentiment for the recall than any other single factor, unless it be the irritating delays of the law and the tangled and twisted procedure that seems in the minds of many to stand squarely between the poor man and justice.

When a corporation lawyer and a judge, for example, let a damage suit brought by a poor man go through a long trial in a county court and up to the supreme court, knowing the original complaint is faulty and will be returned for re-trial, knowing that the man who brought the suit can ill afford either to wait or to stand the expense of additional litigation, and that the corporation can, more sentiment is created for the recall of judges. And yet perhaps all that is needed in this case is a change in procedure, such as Indiana has now adopted and which requires that complaints be right before they are tried.

Every man who believes in our form of government would prefer to think of the judges as being men absolutely fair, absolutely fit, absolutely unbiased, dealing even handed justice to high and low alike.

But the grave suspicion has arisen that all judges do not do this. That this suspicion has been aroused is not due simply to the clamoring of agitators or of politicians. They simply took advantage of a deep rooted feeling already existing in many parts of the country and elevated the subject, though a popular catch word, into a big political issue.

Indiana has been fortunate in its judges. But all states have not been so fortunate.

And some day the lawyers themselves will attack the evil in the system in a legal, constitutional way, and erect new barriers against injustice.

The evil exists. The lawyers generally object to the method the laymen have sought to correct it. It seems up to the lawyers then to present a better remedy.

And the sooner the better.

It seems probable that Secy. Daniels of the navy department is about to put in effect his policy of "less money ashore and more afloat." The tentative program includes three battleships, which will again place the American navy second to that of Great Britain.

If you were a member of congress and a baseball fan, and if you had worked all summer in superheated Washington and there was a world series ball game in Washington or Philadelphia what would you do? So would we.

Pres. Wilson's preference for educators and literary men has again found expression in the appointment of Arthur Yager, president emeritus of

Georgetown college, Kentucky, as governor of Porto Rico.

The National Polish Roman Catholic union is in convention in Milwaukee and discussing plans for extensive charities. A home for the aged and crippled is among the benefits considered.

The telephone has become a dangerous instrument in the larger cities through its use to decoy women. It might be well for women in small cities to know who is talking to them over the wires.

Plans for transcontinental roads are stimulating in their effect, but they should not be permitted to overshadow the need of a good road between the farm and the market.

Well, when you consider the result of the first game the predictions of the rival leaders the day before were not far off.

"Hurp Up" Yost has reason to be jealous of his hurry up rival in the white house.

Did Aviator Beachy have his eyes on his levers when he knocked the girls off the roof?

Warmer weather and more flies. Keep the swatter busy.

MARRIED LIFE THE FIRST YEAR AFTER THE HONEYMOON

By Mabel Herbert Urner.

THE OPEN WINDOW.

Warren was shaving, his suspenders down, his face half-lathered, and his chin poised in that angle peculiar to shaving.

Helen came to the door. "Dear Anna says the kitchen window won't shut, and it's cooling the oven."

"Can't you see I'm shaving?" curtly.

"Yes, I know, but Anna can't get it down and the biscuits won't be done in time for breakfast."

"Didn't I tell you I WAS SHAVING?" with his razor poised impatiently, while his eyes met hers angrily in the mirror.

Helen hurried back to the kitchen. "Mr. Curtis is shaving," she informed Anna, who was still struggling with the window. "Can't we manage to get it down?"

Both tried, but the window remained fast. "Then he'll have to take plain bread for breakfast," rumbled Anna. "Biscuits won't bake in that draught."

"Well, make some toast then; he likes that if it's brown and crisp."

Anna muttered something under her breath so Helen hurried away to the baby.

Half an hour later breakfast was served by a very sullen and silent Anna. There was neither toast nor biscuits. And the omelette lacked its usual light flakiness.

Warren took up a piece of cold bread and then threw it back on the plate. "You don't expect me to eat that for breakfast, do you?"

"The oven wouldn't bake sir, with the window open, and I couldn't get it down," Anna answered sullenly.

"But I told you to make some toast," ventured Helen. "If it wouldn't bake toast," was Anna's laconic answer.

Warren pushed back his chair and rose angrily from the table, muttering something about the helplessness of a lot of fool women.

"Where is that window?" he asked, as he strode into the kitchen.

Helen followed anxiously. A small kitchen table stood partly in front of the window. He pushed it aside with such force that a pan of water splashed over.

"Oh, be careful; do be careful, dear!"

He was putting his whole force upon the window, but it refused to come down.

"It's stuck at the top, sir," Anna suggested.

Again he tried, but the window remained fixed. With a muttered oath he tried again—this time his elbow slipped and struck the glass.

"Oh, dear, wait—wait—"

But now, with clenched teeth, he threw all his weight against it and there was a sound of shattered glass and a scream from Helen.

A few drops of blood showed on his hand.

"Oh, you've cut yourself, you've cut yourself!" she caught his arm, but he shook her off. He was swearing under his breath.

"This comes from bothering me with your infernal window!"

"Oh, is it bad? Have you cut it bad?" breathlessly.

It was only the slightest scratch, but it received all the attention of a severe artery.

"Oh, I'm so sorry; I'm so sorry dear!" she kept murmuring as she anxiously, and carefully applied a bit of court plaster.

Whatever happened, he somehow always managed to make her feel that it was "her" fault. She always took the apologetic attitude.

Whether it was due to his carelessness or his impatience or his temper—whatever the cause, somehow Helen was always made to feel that indirectly it was her fault. And she was humbly self-reproachful and penitent.

And now, when he started to leave for the office, she made a timid little motion to kiss him goodbye. But he hurried off, pretending not to notice. He had cut his finger putting down the window. That was a thing not to be quickly overlooked or forgiven. She must be made to feel his displeasure. (End of first year.)

EMPEROR WILLIAM IS OWNER OF RESTAURANT

Ruler of Germany Often Enters His Own Cafe For an Early Morning Sherry.

BERLIN, Oct. 9.—Emperor William is revealed as a restaurant proprietor for the first time by the Vossische Zeitung, which credits him with the ownership of a small cafe and restaurant near the historic mill of Sans Souci at Potsdam.

A former restaurant at the same place had been removed to improve the gardens of the palace, but the emperor, on the pretext of Potsdam people, had a new restaurant built near it, renting it to the former steward of his domestic staff. The em-

THE FISHERMAN AND HIS WIFE

AS TOLD BY AUNT GERTIE, Chapter II.

"I should like to have a stone castle. This cottage is not nearly large enough. Go to the fish and ask him to give us a castle in which to live."

"But, my dear wife," answered the fisherman, "he has already given us this nice cottage. We cannot ask for anything more."

"Yes, you can and must," said the wife. "Go."

With a heavy heart, the fisherman started off toward the sea again. "Mr. Fish," he called for the second time. "Mr. Fish, come hither."

This time the water looked blue and gloomy. But the fish appeared again.



MR. FISH, MR. FISH, MY WIFE WANTS TO BE KING.

"Well, what is the trouble now?" called the fish.

"Dear, dear," answered the fisherman, "my wife wants you to give us a stone castle to live in, Mr. Fish. She says the cottage isn't large enough."

"Go home, then," said the fish. "Your wife is in the stone cottage already."

The fisherman went home and the fish disappeared under the water again.

The cottage had been transformed in an instant into a wonderful castle with great gardens and big stables behind it.

"Now, wife, dear, you are very, very happy and can never want anything more, surely," said the fisherman.

"Well, this is very nice," said the wife. A few days afterward when the fisherman had just begun to think he was not going to be bothered by his wife any more, she came to him and

ordered him to go a third time to the fish.

"Why, what else can you possibly ask for?" asked the fisherman in dismay.

"I want to be king. I have the castle, but I haven't any power over the people who live around it. Go, ask the fish to make me king over this domain."

"He will be very angry and, perhaps, kill me," cried the fisherman.

"Go!" said the woman again. This time as the fisherman drew near the water's edge it was over spread with curling waves and ridges of foam.

"Oh, Mr. Fish," he called, in a

frightened voice. "Please come up once more."

"What can you want now?" said the fish.

"That wife of mine actually wants to be king now, Mr. Fish."

"Go home, then," said the fish. "She is king now!"

With wide-open mouth and bulging eyes, the fisherman walked into the castle and found his wife sitting on a throne which was covered with precious stones. She wore a wonderful crown upon her head and her subjects were kneeling at her feet.

"At last you have all that heart could desire," said the fisherman.

"Not so fast, my dear husband," called the wife from her high throne. "I now intend to be emperor. It is a much higher office. Go and tell the fish."

"I refuse," said the fisherman. (To be continued.)

THE MELTING POT

COME! TAKE POTLUCK WITH US.

OLD A. L. H. probably knew when he brought us home from Wawasee on that wild night ride that the law was on his side as host and that as guests we took all risks when we accepted the invitation.

His duplicity is now apparent. The supreme court of Wisconsin has decided that we could not have collected a cent from him if he had dumped us in the ditch and driven our spine through our hat.

The next time we go to Wawasee with him we will take the precaution to step over to the street car station and drop a nickel in the accident insurance slot.

Who Put the Turk in the Irishman? (Grand Rapids News.)

Patrick William Mohammed McGann is a very thorough Irishman. He grows cucumbers and squashes, too.

Because he is fond of their emerald hue.

Patrick's name from the good old sod, William was picked where the Dutchmen trod, Mohammed, sure, by abanshee's trick.

Was wished on this unsuspecting Mick.

Patrick William Mohammed McGann will go to the law court as fast as he can.

To make his plea and present his claim.

That a Turk has no place in an Irishman's name.

WE hope we will never so far lose our presence of mind as to get up and leave \$15,800 under our pillow, like the Iowa farmer, yet we realize that never having done it is of itself no assurance that we never will do it.

When Niles Beat the All Stars. (Niles Sun.)

The raindrops pattered on the ball park. But bye and bye the sun came shining through.

And then our score-plane got to working. We're rather glad it did, ain't you?

MRS. WILL BOSSE lives in Decatur, Ind., and as her husband gave her the name we can do nothing less than accept it.

In Love With His Bed. (Kalamazoo Telegraph Press.)

Many people who keep chickens in town seem to have the mistaken notion that noisy roosters increase the egg output.

The posting of candidates' pictures about town do not suggest the old couplet.

"Fools' names like fools' faces. Are always seen in public places."

On the contrary the custom might be adopted as an aid to acquaintance and as a means of greeting to friends, to be used at proper intervals. It is next to receiving a cheerful good morning to run across a familiar face nailed to a fence or telephone pole.

EVER since old A. L. H. and we reported that modest little catch of 11—count 'em—11 Oswego bass the road to Wawasee has been hot with the friction of motor car tires, but nobody has called us up to humiliate us with a better story.

Search Us.

Sir: Is it a discourtesy to the hostess to decline to take a bridge favor after making the largest score?

M. D. A.

BUT why decline? You can give your bridge favors to the children to be placed with the trophies they win at Sunday school.

IF the Historical society has decided to take up the matter of placing a tablet on the site of South Bend's first and only fort we would like to supply the inscription. It would be something like this:

FIRST stock aid to the scared.

C. N. F.

WILL FIND OUT WHO IS SLOW AT PAYING BILLS

To establish a service for merchants and professional men similar to that furnished by Bradstreet's and Dun's for manufacturers, representatives of the National Rating league of Chicago are working in South Bend. A large number of the city's retail merchants as well as some of the professional men have become members.

The league furnishes credit ratings of customers to the merchants and aids in the adjustment of accounts with slow and non-paying debtors.

MITCHELL QUILTS FEDERAL JOB TO RUN FOR MAYOR

NEW YORK, Oct. 8.—John Purroy Mitchell, fusion candidate for mayor, tendered his resignation Wednesday as collector of the port of New York, which position he has appointed early last summer by Pres. Wilson.

He will devote all his time to the campaign.

SIC 'EM, TIGER!

NEW YORK, Oct. 9.—Sherry imported from Europe will be used by the management of the Hippodrome here to drive away ticket speculators.

WHEN HELLER SAYS IT'S OAK IT'S OAK

THE HUMAN MACHINE

Say, you'll tinker away at a flying machine. Or an automobile, or contrivance of parts.

That don't fit, and won't fit, and should never have been Allowed to come into your real heart of hearts.

You will just take for granted and try to relate.

And to figure out why things work just as they do.

And you'll go without breakfast, for dinner be late—

For those coils and those wheels take such hold upon you.

But the Human Machine where you always must dwell—

You will just take for granted and let it run you.

You can master your brain and can run the thing well.

For your Human Machine is the servant of you.

If you'll just give some study to willing your thought.

If you'll turn your attention upon your own mind.

Your machine will run smoothly and just as it ought.

EXONERATE BEACHEY FOR DEATH OF GIRL

ROCHESTER, N. Y., Oct. 9.—A coronor's jury at Hammondsport exonered Lincoln Beachey, aviator, from blame in the case of Miss Ruth Hildreth, of New York, who was killed Tuesday when Beachey's machine swept several persons from an observation platform from which they were watching an exhibition flight.

SPENT YEAR'S SALARY.

MENDHAM, N. J., Oct. 9.—Marshal John Tigar spent his year's salary, \$25, to take a prisoner to town in an automobile. William Kirk, the prisoner was arrested for disturbing the peace. The town allows Tigar no extra expense.

Try NEWS-TIMES WANT ADS

FREE! A Full Size 50c Box of Make-Man Tonic Tablets

Are you weak and nervous? Do you suffer from backaches, rheumatism, or kidney trouble? Are your stomach and digestive organs constantly getting out of whack, so that you can't enjoy your meals any more? Are you losing weight? Do you sleep poorly? Is your body weak and crying for something that is lacking? What you most likely need is more rich, pure blood coursing through your veins, giving life and vigor to your entire system. Your body is run down. Your entire system is crying for nourishment. What you need is a tonic, a health-giving, pure-blood-making tonic—Make-Man Tonic Tablets—they help make men and women strong; they give new life, new strength, to impoverished, run-down, over-worked nervous systems. Are you that way and every one who does not know these wonderful health-giving, life-saving tablets, we make them unusual offers. Simply cut out coupon, fill in your name and address, send no money—just the coupon, and you will receive absolutely free, our regular 50c box of Make-Man Tonic Tablets. Remember, send no money, there is no string tied to this offer, all that we ask is that you try this 50c box.

Sold and recommended by following South Bend Drugstores: Chas. Coonley & Co., Ralph H. Kues, & T. Applegate & Co., R. P. Milton.

CATARRH SUFFERERS

Get Immediate and Effective Relief By Using Hyomei.

Hyomei is nature's true remedy for catarrh. There is no stomach dosing—you breathe it.

When using this treatment, you breathe healing balsams and effectively reach the most remote air cells of the throat, nose and lungs, the catarrhal germs are destroyed—quick and sure relief results.

Hyomei often restores health to chronic cases that had given up all hope of recovery. Its best action is at the start of the disease when the breath is becoming offensive, and constant stifling, discharges from the nose, sneezing, or that choked up feeling begin to make life a burden.

At the first symptom of catarrhal trouble, such as crusts in the nose, watery eyes, hawking and morning choking, surely use Hyomei and see how quickly you get relief. All druggists sell it.

The complete outfit, including inhaler and bottle of liquid, costs but \$1.00; extra bottles of liquid, if later needed, 50 cents. Hyomei is sold by Weytke's Original Kutt Rate Medicine Store with a guarantee to refund the money if it does not give satisfaction.—Advt.

PUT HARNESS ON BEARS.

ST. PETERSBURG, Oct. 9.—Bears instead of dogs are being used for transportation purposes by Lieut. Siedoff, leader of the Russian polar expedition.